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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

July 27, 2002

Hon. Commissioner of Patents and Trademarks
Washington DC 20231

COPY OF PAPERS
ORIGINALLY FILED

Applicant: Steven A. Benner
Title: A Method for Selecting Functional Deoxyribonucleotide Derivatives
Serial number: 09/415,966 Art Unit 1655
Filing date: October 12, 1999
Examiner: Lisa Arthur

Certificate of Mailing under 37 C.F.R. 1.8(a)

The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service as First Class Airmail in an envelope addressed to Commissioner of Patents and Trademarks, Washington D.C. 20231, USA on or before July 30, 2002.

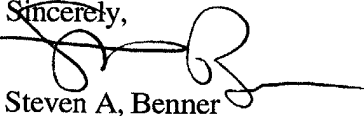


Steven A. Benner (Applicant)

This is a verified statement that the Applicant is a "small entity" as defined by 37 CFR 1.27. The Applicant is a holder of Deposit Account Number 02-2055 in the Applicant's name, and authorizes the Commissioner to debit any charges or credit any overpayment to this account as appropriate.

This communication is responsive to an Office communication mailed July 12, 2002,, requesting a amendment with both a "clean and marked up version". I provide these on separate pages, as indicated in the advisory document that you sent.

Sincerely,


Steven A. Benner



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on _____ is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

- ☐ 1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).
- ☐ 2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii).
- ☒ 3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i).
- ☐ 4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii).
- ☒ 5. Other Please submit an amendment with both a clean and marked up version
- ☐ **PRELIMINARY AMENDMENT:** Unless applicant re-submits the preliminary amendment in compliance with revised 37 CFR 1.121 within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☐ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").

Legal Instruments Examiner